



A Frequently Asked Questions (FAQ) Document for Parent's Right to Revoke Consent

- 1. If a parent revokes consent, does the local educational agency (LEA) have to cease services?**

Yes, the LEA must provide Prior Written Notice (OSDE, Form 9) before ceasing services, and it must be done in a timely manner.

- 2. What must the prior notice include?**

The prior notice must include information on sources for parents in assisting them with understanding the requirements of Part B of the Individuals with Disabilities Education Act (IDEA), and must utilize language that is understandable to the general public regarding the change in the educational placement and related services.

- 3. How many times can a parent revoke consent?**

There is no limit to the number of times a parent can revoke consent.

- 4. What happens if the parent wants the student to receive special education and related services after revoking consent?**

The child should be treated as any child in the child-find process. The request will be treated as an initial evaluation.

- 5. Does a student who has reached the age of majority have the right to revoke consent?**

Yes. A student can revoke consent if they are 18.

6. Can an LEA go to Due Process for revocation of consent?

No. The Federal Regulations specify that parents have the right to revoke consent without being subject to Due Process.

7. Can a parent revoke special education services but not related services?

No. If a parent chooses to revoke consent, the revocation is in its entirety.

8. If the parent revokes consent, is the LEA in violation of providing a Free Appropriate Public Education (FAPE)?

No. The LEA would not be in violation of providing a FAPE.

9. Will the student still have provisions under IDEA for disciplinary actions?

No. Their child will be treated as a nondisabled student for disciplinary purposes, and may be disciplined as a general education student.

10. If the parent revokes consent, can the student still receive accommodations on the statewide assessment?

No. The student could only receive accommodations on statewide assessment if the student had an Individualized Education Program (IEP) or was a student on a Section 504 Accommodation Plan. If consent is revoked before the administration of the State's assessment, there is no longer a requirement to provide the assessment accommodations that were previously included in the student's IEP. Additionally, the student would not be eligible for an alternate assessment.

11. If a parent requests an amendment to the student's records, does the LEA have to amend records to delete all information indicating the student received special education services?

No. The LEA is not required to amend records.